

Washoe Tribe of Nevada and California

Environmental Protection Department



April 27, 2009

Ms. Gwen Brown
Region 9 Grants Management Office (MTS-7)
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105

Dear Gwen,

Enclosed please find the Washoe Tribe of Nevada and California's full application package for financial assistance under section 319h of the Clean Water Act "Base and Competitive Funding" this will be a new agreement. In addition the 10% waiver request and cover letter signed by the Chairman was attached to our pre-proposal. The current approved Indirect Cost Agreement is on file.

The Washoe Tribe of Nevada and California's Nonpoint Source Assessment and Management Program were approved by the Environmental Protection Agency February 2000. We feel that the implementation of this effort is essential to the protection and enhancement of the waters on Washoe Tribal lands. The Tribal Council supports this proposal and passed Tribal Resolution 202-WTC-2008 on October 22, 2008 to support this application.

We look forward to working in partnership with EPA to protect and restore water quality, watershed condition, aquatic, and riparian habitat on tribal lands. Please feel free to call me at (775) 265-8682 if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to be "Marie Barry", with a stylized flourish at the end.

Marie Barry, Environmental Director

cc: WEPD File

RECEIVED

APR 29 2009

GMO, MTS-7

Washoe Grants Office

919 Highway 395 South, Gardnerville, Nevada 89410
(775) 265-4191 • (775) 883-1446 • (530) 694-2339 • FAX (775) 265-3211

APPLICATION FOR
FEDERAL ASSISTANCE Tracking Number:

1. TYPE OF SUBMISSION Application <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction		2. DATE SUBMITTED 4/27/09 3. DATE RECEIVED BY STATE 4. DATE RECEIVED BY FEDERAL AGENCY		Applicant Identifier State Application Identifier Federal Identifier																														
5. APPLICANT INFORMATION Legal Name: Washoe Tribe of Nevada and California DUN: 021982913 Address (give city, county, state, and zip code): 919 Highway 395 South, Gardnerville, NV 89410 Organizational Unit: Washoe Environmental Department Name and telephone number of the person to be contacted on matters involving this application (give area code) Marie Barry, Director 775.265.8682 Marie.barry@washoetribe.us																																		
EMPLOYER IDENTIFICATION (EIN): 88 - 0120754		7. TYPE OF APPLICANT: (enter appropriate letter here) <u>K</u> A. State B. County C. Municipal D. Township E. Interstate F. Intermunicipal G. Special District H. Independent School District I. State Controlled Institution of Higher Learning J. Private University K. Indian Tribe L. Individual M. Profit Organization N. Other (Specify):																																
8. TYPE OF APPLICATION: <input checked="" type="checkbox"/> New Continuation Revision If Revision, enter appropriate letter(s) in box(es): <input type="checkbox"/> <input type="checkbox"/> A. Increase Award B. Decrease Award C. Increase Duration D. Decrease Duration Other Specify:		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: Washoe Non Point Source 319h Project Stewart Ranch.																																
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: <u>66 - 460</u> TITLE: Non Point Source Program		12. AREAS AFFECTED BY PROJECT (cities, counties, states, etc.): Washoe Reservation and Trust Lands																																
13. PROPOSED PROJECT: Start Date 10/1/09 End Date 12/31/10		14. CONGRESSIONAL DISTRICT OF: a. Applicant: CA: 14 Doolittle NV: 2 Heller b. Project (Same)																																
15. Estimated Funding: <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:20%;">a. Federal</td> <td style="width:10%;">\$</td> <td style="width:40%;">180,000.00</td> <td style="width:10%; text-align: center;">✓</td> <td rowspan="6" style="width:10%; vertical-align: middle; font-size: 2em;">90</td> </tr> <tr> <td>b. Applicant</td> <td>\$</td> <td>20,000.00</td> <td style="text-align: center;">✓</td> </tr> <tr> <td>c. State</td> <td>\$</td> <td></td> <td></td> </tr> <tr> <td>d. Local</td> <td>\$</td> <td></td> <td></td> </tr> <tr> <td>e. Other</td> <td>\$</td> <td></td> <td></td> </tr> <tr> <td>f. Program Income</td> <td>\$</td> <td></td> <td></td> </tr> <tr> <td>g. TOTAL</td> <td>\$</td> <td>200,000.00</td> <td></td> <td></td> </tr> </table>		a. Federal	\$	180,000.00	✓	90	b. Applicant	\$	20,000.00	✓	c. State	\$			d. Local	\$			e. Other	\$			f. Program Income	\$			g. TOTAL	\$	200,000.00			16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS? a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESSES FOR REVIEW ON: DATE b. NO. <input checked="" type="checkbox"/> PROGRAM IS NOT COVERED BY E.O. 12372 <input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW		
a. Federal	\$	180,000.00	✓	90																														
b. Applicant	\$	20,000.00	✓																															
c. State	\$																																	
d. Local	\$																																	
e. Other	\$																																	
f. Program Income	\$																																	
g. TOTAL	\$	200,000.00																																
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.		17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? <input type="checkbox"/> Yes If "Yes" attach an explanation. <input checked="" type="checkbox"/> No																																
a. Typed Name of Authorized Representative: Waldo W. Walker		b. Title: Chairman		c. Telephone Number: 775.265.8600																														
d. Signature of Authorized Representative:		e. Date Signed: 4/27/09		RECEIVED APR 29 2009 GMD, M113-1																														

BUDGET INFORMATION - Non-Construction Programs

OMB Approval No. 0348-0044

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. Non Point Source	66-460	\$	\$	\$ 180,000.00	\$ 20,000.00	\$ 200,000 .00
2.						0.00
3.						0.00
4.						0.00
5. TOTALS		\$	\$	\$ 180,000.00	\$ 20,000.00	\$ 200,000 .00

SECTION B - BUDGET CATEGORIES

6. OBJECT CLASS CATEGORIES	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1) FY09 Base	(2) FY09 Waterahed	(3)	(4)	
a. Personnel	11,789.00	\$ 74,561.00			\$ 86,350.00
b. Fringe Benefits	6,549.00	27,165.00			33,714.00
c. Travel	2,085.00	4,255.00			6,340.00
d. Equipment	0.00	13,425.00			13,425.00
e. Supplies	245.00	2,409.00			2,654.00
f. Contractual	9,504.00	21,005.00			30,509.00
g. Construction	0.00	0.00			0.00
h. Other	600.00	9,975.00			10,575.00
i. Total Direct Charges (sum of 6a - 6h)	30,772.00	152,795.00			183,567.00
j. Indirect Charges	2,561.00	13,872.00			16,433.00
k. TOTALS (sum of 6i and 6j)	\$ 33,333 .00	\$ 166,667.00			\$ 200,000.00
7. Program Income	\$	\$	\$	\$	\$ 0.00

SECTION C - NON-FEDERAL RESOURCES

(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS
8. Washoe Tribe of Nevada & California	\$ 20,000.00	\$	\$.00	\$ 20,000.00
9.				0.00
10.				0.00
11.				0.00
12. TOTAL (sum of lines 8 and 11)	\$ 20,000.00	\$ 0.00	\$.00	\$ 20,000.00

SECTION D - FORECASTED CASH NEEDS

13. Federal	(Total for 1st Year)	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
	180,000.00	45,000.00	65,000.00	50,000.00	20,000.00
14. NonFederal	20,000.00	1,000.00	15,000.00	3,000.00	1,000.00
15. TOTAL (sum of lines 13 and 14)	200,000.00	46,000.00	80,000.00	53,000.00	21,000.00

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT

(a) Grant Program	FUTURE FUNDING PERIODS (Years)			
	(b) First	(c) Second	(d) Third	(e) Fourth
16. Non Point Source	300,000.00	300,000.00	300,000.00	300,000.00
17.				
18.				
19.				
20. TOTALS (sum of lines 16 - 19)	300,000.00	300,000.00	300,000.00	300,000.00

SECTION F - OTHER BUDGET INFORMATION (Attach additional sheets if Necessary)

21. Direct Charges: \$ 183,567.00	22. Indirect Charges: \$ 16,433.00
23. Remarks: Approved indirect cost rate is in EPA file.	

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BUDGET CATEGORIES INFORMATION (FROM SF424A, SECTION B TOTALS)

Enter Total Program Costs, i.e., Federal and Non-Federal Funds Combined

(Attach Separate Sheet(s) if necessary)

Object Class Categories

a. Personnel: (Program Staffing - include and indicate vacant positions)	Number in Position Class	Annual Salary Rate	Work Years	Personnel Costs
Position Title				
(1)	(2)	(3)	(4)	(5)
Environmental Director	1	92,040.00	.01	10,620.00
Environmental Coordinator	1	69,160.00	.01	6,318.00
Environmental Specialist II	6	48,630.40	.11	31,563.00
GIS Specialist	1	48,630.40	.01	351.00
Tribal Historic Preservation Officer	1	76,086.40	.01	732.00
Washoe Conservation Crew	3-5	31,324.80		22,590.00
Environmental Specialist I	3	36,545.60		8,785.00
Administrative Assistant I	2	40,185.60		2,898.00
Washoe Utility Management Authority Manager	1	69,160.00	.04	2,261.00
WUMA Technician II	3	44,210.00	.02	232.00
PERSONNEL CATEGORY TOTALS				86,350.00
b. FRINGE BENEFITS: TOTAL				33,714.00
c. TRAVEL: TOTAL (Itemize below - See Sample pages)				6,340.00
Local travel: \$.58.5mi x 4,000 = \$2,340.00				
Non Local: Air fare/motel/conf. fees/per diem = \$3,500				
Fuel for equipment: 150 gal x \$3.33 = \$500				

BUDGET CATEGORIES INFORMATION (FROM SF424A, SECTION B TOTALS)
Enter Total Program Costs, i.e., Federal and Non-Federal Funds Combined

(Attach Separate Sheet(s) if necessary)

Object Class Categories

d. Equipment:

(1) List each item costing \$5,000 or more to be purchased for this project;

SUB-TOTAL

(2) List items costing less than \$5,000. You may list the items by groups, as appropriate.

Trailer to haul materials, equipment, and tools @ \$25/day x 30 days = \$750, 2 quads and 4x4 vehicle use for project mobilization 6 wks @ \$350/wk = \$4,200, dump truck @ \$750/wk x 3 wks = \$2,250, backhoe @ \$1,450/wk x 3 wks = \$4,350, misc. tools equip. use \$1,875.

13,425.00

SUB-TOTAL 13,425.00

COMBINED EQUIPMENT TOTAL

e. Supplies: List by groups, as appropriate.

General Office Supplies: \$53.21/mo x 14mo

745.00

Field Supplies:

1,909.00

SUPPLIES TOTAL 2,654.00

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Prescribed by OMB Circular A-102

BUDGET CATEGORIES INFORMATION (FROM SF424A, SECTION B TOTALS)

Enter Total Program Costs, i.e., Federal and Non-Federal Funds Combined

(Attach Separate Sheet(s) if necessary)

Object Class Categories

<p>f. CONTRACTUAL: List each planned contract separately, type of services to be procured, proposed procurement method (i.e. small purchase, formal advertising, competitive negotiations or non-competitive negotiations) and the estimated cost. Also, please indicate if the proposed contract performance period will go beyond the budget period of assistance for which this application is submitted.</p>	
Contractor for well closure	\$ 9,504.00
Contractor for engineering design, large rock and other materials needed to complete NPS projects	11,005.00
Equipment Rental → Recipient wants to keep as is. Large equipment. Does not cost moved to "other" category.	10,000.00
COMBINED CONTRACTUAL TOTAL	\$ 30,509.00
g. CONSTRUCTION (N/A)	
h. OTHER: Explain by major categories any items not included in above standard budget categories. Caution: Do not include or proposed as a direct project cost, any cost that is indirect in nature (see OMB Circular A-87) or is included in the indirect cost pool on which the indirect cost rate (item j) is based.	
Communication/Maintenance: (cell phone, internet, landline, elect., maintenance etc.)	2,200.00
BMP materials: (piping, matting, seeds, plants, stakes, separator etc.)	6,000.00
Washoe Tribe: (cobble rock @ \$20/yard x 80 yds = \$1,600, woodchips @ \$15/yard x 15 yds = \$375, willow @ \$1.00/ft x 350/ft = \$350.00)	2,375.00
Equip rental (\$10,000)	
OTHER TOTAL	\$ 10,575.00
i. TOTAL DIRECT CHARGES: (Sum of Items a. through h.)	\$ 183,567.00
j. INDIRECT COSTS: (Attach a copy of your latest indirect cost agreement)	\$ 16,433.00
k. TOTAL PROPOSED PROGRAM COSTS (Sum of Items i. and j.)	\$ 200,000.00
SHARE: FEDERAL 90 % GRANTEE 10 %	

Washoe Tribe of Nevada and California
EPA NPS FY09 Base
Budget

LINE ITEM	CALCULATION	EPA REQUEST	INKIND MATCH
Personnel			
Environmental Department Director	\$44.26/hour x 40	1,770	
Environmental Coordinator	\$33.25/hour x 40	1,330	
GIS Specialist	\$23.38/hour x 15	351	
1 FTE Environmental Specialist II	\$23.38/hour x 250	5,845	
Washoe Tribe Task 3 Tech Assistance	Washoe Utility Management Authority Manager \$33.25 x 68hr and Tech. II \$21.25 x 10.92 hr		2,493
Subtotal Personnel		9,296	2,493
Fringe Benefits			
FICA	0.0765	711	191
SUTA	0.018	167	45
SIIS	0.0221	205	55
Health Insurance	1FT @ \$523.00mo x 6mo	3,138	192
Liability Insurance	\$40/mo x 6	240	
Vacation Liability	.06 of salaries	1,046	
Retirement Plan	.06 of salaries	558	
Subtotal Fringe		6,066	483
Subtotal Personnel & Fringe		15,362	2,976
Travel			
Non Local Travel	1 flight/per d/rental car/motel	1,500	
Travel (local)	1,000 miles x \$.585	585	
Subtotal Travel		2,085	
Supplies			
Office Supplies	general office supplies	245	
Subtotal supplies		245	
Contractual			
Contractor for well closure		9,504	
Subtotal Contractual		9,504	
Other			
Communications and maintenance	phones,elec, internet, postage etc.	600	
Subtotal other		600	
Total Direct Costs		27,796	2,976
Indirect costs @12.05% minus contractual and equipment		2,204	357
Total Project Costs		30,000	3,333

Proposed NPS Watershed Project Budget FY09

LINE ITEM	CALCULATION	EPA REQUEST	IN-KIND MATCH
Personnel			
Environmental Department Director	44.25/hour x 200		
Environmental Coordinator	33.25/hour x 150	8,850	
1 FTE Environmental Specialist II	23.38/hour x 1100	4,988	
Tribal Historic Preservation Officer	36.58/hr x 20	25,718	
Environmental Specialist I	17.57/hour x 500		732
Washoe Conservation Crew	15.06 x 500 x 3	8,785	
Administrative Assistant I	\$19.32/hour x 150	22,590	
Subtotal		2,898	
Personnel		73,829	732
Fringe Benefits			
FICA	0.0765	5,648	56
SUTA	0.018	1329	13
SIIS	0.0221	1,632	16
Health Insurance	\$523/mo x 1.5 FTE x 14	7,322	50
Vacation Liability	.06 x sal	4,430	
Liability Insurance	\$40mo x 4 x 14	2,240	
Retirement Plan	.06 sub sal	4,430	
Subtotal Fringe Benefits		27,030	135
Subtotal Personnel & Fringe		100,859	867
Operating Costs			
Local Travel	\$585per mile x 3,000	1,755	
Fuel for equipment	150 gals @ \$3.33/gal	500	
Non Local Travel	Workshops and Trainings	2,000	
Subtotal Travel		4,255	
Contractual			
Contractor for engineering design, large rock and other materials needed to complete the projects		24,846	
Equipment	Excavator / Track hoe (\$1,000 day x 10)	10,000	
Subtotal Contractual		34,846	
Equipment			
Washoe Tribe	trailer to haul materials, equipment, and tools @ 25day x 30 days = (\$750), 2 quads and vehicle use for project mobilization 6 wks @ \$350/wk = (\$4,200), dump truck @ \$750 wk x 23wks = (\$2,250), backhoe @ \$1,450/wk x 3wks = (\$4,350) etc.		13,425
Subtotal Equipment			13,425
Supplies			
General Office	\$35.71 x 14mo	500	
Field Supplies	Field tools	1,940	
Subtotal supplies		2,440	
Other			
BMP materials	plping, matting, native seed and plants, stakes, separator, fencing etc.	6,000	
Washoe Tribe	cobble rock @ \$20 yrd x 80yds = (\$1,600), wood chips @ \$25yrd x 15yds = (\$375), willow @ \$1.00ft x 350ft.		2,375
Communication/Maintenance	phone, internet, cell phone, postage, elect, etc.	1,600	
Subtotal Other		7,600	2,375
Total Direct Costs		150,000	16,667
Total Project Costs	Indirect costs @ 12.02% minus contractual/eqt	150,000	16,667

* In-Kind Reflects Waiver was approved FY08 for 10% match

KEY PEOPLE LIST

Please show street address as well as Post Office Box Number where applicable.

AGENCY DIRECTOR

(Individual who is authorized to sign the assistance agreement application and award acceptance).

Name: Waldo W. Walker
Title: Chairman
Address: 919 Highway 395 South
Gardnerville, NV 89410

Telephone: 775.265.8600

PROGRAM DIRECTOR

(Technical program director; generally the same individual as the "contact person" in block #5 of the application).

Name: Marie Barry
Title: Environmental Director
Address: 919 Highway 395 South
Gardnerville, NV 89410

Telephone: 775.265.8682

FINANCE DIRECTOR

(This is the person who is responsible for (1) maintaining the accounting/financial management system supporting grant expenditures; (2) preparing financial reports; and (3) maintaining the Letter of Credit. If any of these responsibilities are located in another office, please so indicate by showing below the name(s), title(s) organization name(s), address and telephone.)

Name: Pauline Howe
Title: Finance Director
Address: 919 Highway 395 South
Gardnerville, NV 89410

Telephone: 775.265.8600

ASSURANCES - NON-CONSTRUCTION PROGRAM


Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.
As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of the project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 795), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply with the provision of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a-7), the Copeland Act (40 U.S.C. §§ 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction subagreements.

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Standard Form 424B (4-88)
 Prescribed by OMB Circular A-102

10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplain in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.)
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE Chairman
APPLICANT ORGANIZATION Washoe Tribe of Nevada and California	DATE SUBMITTED 4/27/09

United States Environmental Protection Agency Washington, DC 20460 Preaward Compliance Review Report for All Applicants and Recipients Requesting EPA Financial Assistance Note: Read instructions on other side before completing form.

I. Applicant/Recipient (Name, Address, State, Zip Code).

Washoe Tribe of Nevada and California 919 Highway 395 South, Gardnerville, NV 89410

DUNS No.
021982913

Is the applicant currently receiving EPA assistance? Yes

II. List all civil rights lawsuits and administrative complaints pending against the applicant/recipient that allege discrimination based on race, color, national origin, sex, age, or disability. (Do not include employment complaints not covered by 40 C.F.R. Parts 5 and 7. See instructions on reverse side.) None

IV. List all civil rights lawsuits and administrative complaints decided against the applicant/recipient within the last year that allege discrimination based on race, color, national origin, sex, age, or disability and enclose a copy of all decisions. Please describe all corrective action taken. (Do not include employment complaints not covered by 40 C.F.R. Parts 5 and 7. See instructions on reverse side.) None

III. List all civil rights compliance reviews of the applicant/recipient conducted by any agency within the last two years and enclose a copy of the review and any decisions, orders, or agreements based on the review. Please describe any corrective action taken. (40 C.F.R. § 7.80(c)(3))

N/A

IV. Is the applicant requesting EPA assistance for new construction? If no, proceed to VII; if yes, answer (a) and/or (b) below. a. If the grant is for new construction, will all new facilities or alterations to existing facilities be designed and constructed to be readily accessible to and usable by persons with disabilities? If yes, proceed to VII; if no, proceed to VI(b). b. If the grant is for new construction and the new facilities or alterations to existing facilities will not be readily accessible to and usable by persons with disabilities, explain how a regulatory exception (40 C.F.R. § 7.70) applies.

VII.* Does the applicant/recipient provide initial and continuing notice that it does not discriminate on the basis of race, color, national origin, sex, age, or disability in its programs or activities? (40 C.F.R. § 5.140 and § 7.95) a. Do the methods of notice accommodate those with impaired vision or hearing? b. Is the notice posted in a prominent place in the applicant's offices or facilities or, for education programs and activities, in appropriate periodicals and other written communications? c. Does the notice identify a designated civil rights coordinator? Yes

VIII.* Does the applicant/recipient maintain demographic data on the race, color, national origin, sex, age, or handicap of the population it serves? (40 C.F.R. § 7.85(a)) Yes

IX.* Does the applicant/recipient have a policy/procedure for providing access to services for persons with limited English proficiency? (40 C.F.R. Part 7, E.O. 13166) Yes

X.* If the applicant/recipient is an education program or activity, or has 15 or more employees, has it designated an employee to coordinate its compliance with 40 C.F.R. Parts 5 and 7? Provide the name, title, position, mailing address, e-mail address, fax number, and telephone number of the designated coordinator. Yes. Richard Weaver, Training and Staff Development Coordinator, 919 Highway 395 South, Gardnerville, NV 89410, rich.weaver@washoetribe.us, 775-265-8600, fax 775-265-6240

XI.* If the applicant/recipient is an education program or activity, or has 15 or more employees, has it adopted grievance procedures that assure the prompt and fair resolution of complaints that allege a violation of 40 C.F.R. Parts 5 and 7? Provide a legal citation or Internet address for, or a copy of, the procedures. Yes, http://washoetribe.us

For the Applicant/Recipient I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law. I assure that I will fully comply with all applicable civil rights statutes and EPA regulations.

A. Signature of Authorized Official

B. Title of Authorized Official

C. Date

CHAIRMAN

4-15-09

For the U.S. Environmental Protection Agency I have reviewed the information provided by the applicant/recipient and hereby certify that the applicant/recipient has submitted all preaward compliance information required by 40 C.F.R. Parts 5 and 7; that based on the information submitted, this application satisfies the preaward provisions of 40 C.F.R. Parts 5 and 7; and that the applicant has given assurance that it will fully comply with all applicable civil rights statutes and EPA regulations.

A. Signature of Authorized EPA Official See ** note on reverse side.

B. Title of Authorized EPA Official

C. Date

RECEIVED

C9-00T09301-0 Annual Carts on file.
EPA Form 4700-4 (Rev. 03/2008). Previous editions are obsolete.

APR 22 2009

ORIGINAL TO - OCR - BRIDGET COYLE

U.S. EPA Region 8

Washoe Tribe of Nevada and California

Environmental Protection Department



April 15, 2009

Grants Management Office (PMD-7)
Gwen Brown, EPA Grants Specialist
Policy and Management Division
U.S. EPA, Region 9
75 Hawthorne Street
San Francisco, CA 94105

Dear Ms. Brown:

Attached please find the Washoe Tribe of Nevada and California's Federal Certifications. Please apply these to all U.S. EPA, Region 9 grants for FY 09 except for the Leviathan Mine program for which reporting is done separately. We look forward to a continued partnership with Region 9 on environmental efforts to protect the Tribe's natural resources. If there are any questions regarding the attached paperwork please contact Marie Barry, Environmental Director, at your convenience, at the Tribal Environmental Building (775) 265-8682.

Best Regards,


Waldo W. Walker

Cc: WEPD file
Grants Office

RECEIVED

APR 22 2009

MTS-7
U.S. EPA, Region 9

919 Highway 395 South, Gardnerville, Nevada 89410
(775) 265-4191 • (775) 883-1446 • (530) 694-2339 • FAX (775) 265-3211

CERTIFICATION REGARDING LOBBYING

CERTIFICATION FOR CONTRACTS, GRANTS, LOANS, AND COOPERATIVE AGREEMENTS

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, A Disclosure Form to Report Lobbying, @ in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-contracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31 U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Waldo W. Walker, Chairman

Name & Title of Authorized Representative


Signature of Authorized Representative

4/27/09

Date

Washoe Tribe of Nevada and California



April 3, 2009

Indirect Cost Services
Acquisition Services Directorate
National Business Center
U.S. Department of the Interior
2180 Harvard Street, Suite 430
Sacramento, CA 95815

Re: Indirect Cost Proposal 2009

To Whom It May Concern:

Enclosed please find the 2009 Indirect Cost Proposal for the Washoe Tribe of Nevada and California. If you have any questions regarding the proposal, please contact either:

Pauline B. Howe, Chief Financial Officer
775-265-8600 x 1123 or phowe@washoetribe.us

or

Preston Pete, Accounting Manager
775-265-8600 x 1128 or ppete@washoetribe.us

Thank you for your attention.

Regards,

A handwritten signature in dark ink, appearing to read "Waldo Walker", is written over a horizontal line.

Waldo Walker
Chairman

E-mail: waldo.walker@washoetribe.us

**Indian Organizations
Indirect Cost Negotiation Agreement**

EIN: 88-0120754

Organization:

Washoe Tribe of Nevada and California
919 U.S. Highway 395 South
Gardnerville, Nevada 89410

Date: April 6, 2009

Report No(s): 09-A-445

Filing Ref.:

Last Negotiation Agreement
dated March 4, 2008

The indirect cost rate contained herein is for use on grants, contracts, and other agreements with the Federal Government to which Public Law 93-638 and 2 CFR 225 (OMB Circular A-87) apply, subject to the limitations contained in 25 CFR 900 and in Section II.A. of this agreement. The rate was negotiated by the U.S. Department of the Interior, National Business Center, and the subject organization in accordance with the authority contained in 2 CFR 225.

Section I: Rate

Type	Effective Period		Rate*	Locations	Applicable To
	From	To			
Fixed Carryforward	01/01/08	12/31/08	12.05%	All	All Programs

*Base: Total direct costs, less capital expenditures and passthrough funds. Passthrough funds are normally defined as major subcontracts, payments to participants, stipends to eligible recipients, and subgrants, all of which normally require minimal administrative effort.

Treatment of fringe benefits: Fringe benefits applicable to direct salaries and wages are treated as direct costs; fringe benefits applicable to indirect salaries and wages are treated as indirect costs.

Section II: General

Page 1 of 3

A. Limitations: Use of the rate contained in this agreement is subject to any applicable statutory limitations. Acceptance of the rate agreed to herein is predicated upon these conditions: (1) no costs other than those incurred by the subject organization were included in its indirect cost rate proposal, (2) all such costs are the legal obligations of the grantee/contractor, (3) similar types of costs have been accorded consistent treatment, and (4) the same costs that have been treated as indirect costs have not been claimed as direct costs (for example, supplies can be charged directly to a program or activity as long as these costs are not part of the supply costs included in the indirect cost pool for central administration).

B. Audit: All costs (direct and indirect, federal and non-federal) are subject to audit. Adjustments to amounts resulting from audit of the cost allocation plan or indirect cost rate proposal upon which the negotiation of this agreement was based will be compensated for in a subsequent negotiation agreement.